DRAFT

ENVIRONMENTAL IMPACT REPORT

THE CALIFORNIAN RESIDENTIAL PROJECT

City of Milpitas
April 2005

City of Milpitas Department of Planning and Neighborhood Services

April 27, 2005

SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE CALIFORNIAN RESIDENTIAL PROJECT, FILE NO: P-SZ2004-2, GM2004-2, ZC2004-2, EA2004-5 MA2005-5, and UP2004-6

Public Review Period: The Planning Commission of the City of Milpitas will hold a Public Hearing to consider the Draft Environmental Impact Report (DEIR) prepared for the project described below. A copy of the DEIR is attached for your review. The public review period begins on April 29, 2005, and ends on June 12, 2005.

Comments: Your comments regarding the significant environmental effects of this project and the adequacy of the DEIR are welcome. Written comments, submitted to the Department of Planning and Neighborhood Services by 5:00 p.m., Monday, June 13, 2005, will be included in the EIR and be considered by the Planning Commission at the public hearing for this project. If we receive no comments (nor a request for an extension of time) from you by the specified date, we will assume you have none to make.

Project Description and Location: 180 1-3 bedroom condominium units in one 10-story building and one 12-story building located on the 2.6 acre former Minton's Lumber site at 905 Los Coches Street (APN: 086-29-050). Parking will be provided in a separate parking structure with a recreation center on the top floor.

Permits Required: General Plan Map Amendment from Highway Services to Multi-Family Very High Density, S-Zone Amendment for design review and density bonus, Zone Change from Highway Services to R4 Multi-Family Very High Density, Use Permit to allow condominiums and a Major Tentative Map to create condominiums and allow sale of the units.

Contact Person: Dennis H. Carrington AICP, Senior Planner
Department of Planning and Neighborhood Services
455 E. Calaveras Boulevard
Milpitas, CA 95035
(408) 586-3275

Sincerely,

Dennis Carrington, Senior Planner

I. DESCRIPTION OF THE PROJECT

A. OVERVIEW

The proposed project is an amendment to the City of Milpitas General Plan and a project specific proposal to construct high density housing. This EIR has been prepared to analyze the effects determined to be significant in an Initial Study prepared for this project (see Appendix A).

B. PROJECT LOCATION

The project site is located on a 2.95-acre property (2.95 net acres and 3.24 gross acres) bounded by Calaveras Boulevard to the north, Interstate 680 to the east, Los Coches Street to the south, and South Hillview Street to the west, in the City of Milpitas (See Figures 1 and 2).

C. DETAILED DESCRIPTION OF THE PROPOSED PROJECT

The proposed project site is a commercial property (formerly Minton's Lumber) located at 905 Los Coches Street in the City of Milpitas. The 2.95-acre property is bounded by a two-story Kaiser Permanente medical office building to the west, a gas station and car wash to the north, a one-story building that houses Cal Skate of Milpitas to the east, and Los Coches Street to the south. On the south side of Los Coches Street are the Arroyo De Los Coches drainage and the Sinclair Horizons housing development, which is comprised of 98 single-family houses. The housing development is an enclosed community accessed by a single drive that is directly across the street from one of the driveways for the proposed project.

The project site is currently developed with a 25,710-square foot warehouse type building that is occupied by a window retailer and a paved parking lot. The site shares access from Calaveras Boulevard with the adjacent Kaiser Medical Center.

The project proposes to remove the existing building and associated structures and construct two residential condominium towers, one 12 stories tall (north tower) and one 10 stories tall (south tower), that will have a combined total of 180 dwelling units (three studio units, 22 one-bedroom units, 127 two-bedroom units, and 28 three-bedroom units). In addition, the project proposes a four-story parking structure on the western edge of the site. The parking structure will have approximately 379 parking stalls and an additional 44 surface parking spaces will be located along the northern boundary of the site. Additional peak demand parking will be permitted on the adjacent Kaiser property through a reciprocal parking agreement between Kaiser and the subject property. See Figure 3 for a site plan of the proposed project.

The project will be built in two phases. Phase one construction will consist of one of the proposed towers and the parking structure. Phase Two construction will consist of the remaining tower.

The project site is currently designated *Highway Services* under the General Plan and is zoned *HS* (Highway Service District). The project proposes a General Plan amendment to change the land use designation to *Multi-family Very High Density Residential (MFVHD)* and a rezoning to R-4.

Figure 1 – Regional

Figure 2 – Vicinity

Figure 3 – Site Plan

D. PROJECT OBJECTIVES

The objective of the project proponent is to provide economically viable high-density housing at an infill location near major transportation routes in the City of Milpitas that conforms to the goals and policies of the Milpitas General Plan.

E. USES OF THE EIR

This Environmental Impact Report (EIR) is intended to provide the City of Milpitas, other public agencies, and the general public with the relevant environmental information needed in considering the proposed project.

At this time, the City of Milpitas anticipates that the following discretionary actions may need to rely upon this EIR:

1. General Plan Amendment
2. Rezoning
3. Tentative Map
4. Site and Architectural Review
5. Conditional Use Permit

If the project results in a modification of existing curb cuts or construction of new curb cuts on Calaveras Boulevard, a permit from Caltrans will be required prior to implementation. There is, however, no discretionary action required by Caltrans for the proposed project.

F. CONSISTENCY WITH ADOPTED PLANS AND POLICIES

In conformance with Section 15125(b) of the CEQA Guidelines, the following section discusses the consistency of the proposed project with relevant adopted plans and policies.

1. Regional Plans and Policies

Bay Area 2000 Clean Air Plan

The 1982 Bay Area Air Quality Plan and 2000 Clean Air Plan ('00 CAP) establish regional policies and guidelines to meet the requirements of the Clean Air Act, as amended through 1990. The Bay Area is a non-attainment area for ozone and PM_{10}, since federal standards are exceeded for these pollutants.

The Bay Area 2000 Clean Air Plan outlines measures and improvements to help the Bay Area comply with the State's ozone standard, and is the current regional strategy for improving air quality. The Plan proposes the adoption of transportation, mobile source and stationary source controls on a variety of pollutant sources to offset population growth and provide improvement in air quality. The consistency of the proposed project with this regional plan is primarily a question of the consistency with population/employment assumptions utilized in developing the Plan. The '00 CAP was based on the City's General Plan in effect at the time the CAP was approved and the Association of Bay Area Governments (ABAG) *Projections '98*.

Consistency: The project will incrementally increase the amount of traffic on local streets and freeways compared to the existing land use. This increase in traffic would be a source of increased air pollution emissions, which would contribute to exceedences of regional air quality standards. Construction activities associated with future development would also generate minor temporary air quality pollution impacts. The provision of a significant number of housing units in close proximity to the job centers of north Santa Clara County and to existing and planned transit facilities is compatible with the overall goals and policy direction of the 2000 CAP. However, since this site was not designated residential, the additional housing units reflected in the proposed General Plan amendment is not consistent with the current assumptions reflected in the previously adopted 2000 CAP. See Appendix A, Section IV.C., *Air Quality* for a complete discussion.

San Francisco Bay Regional Water Quality Control Plan

The Regional Water Quality Control Board (RWQCB) has developed and adopted a Water Quality Control Plan (Basin Plan) for the San Francisco Bay region. The Plan is a master policy document that contains descriptions of the legal, technical, and programmatic bases of water quality regulation in the San Francisco Bay region.

The Plan provides a program of actions designed to preserve and enhance water quality and to protect beneficial uses. It meets the requirements of the U.S. Environmental Protection Agency (EPA) and establishes conditions related to discharges that must be met at all times.

The implementation portion of the Basin Plan includes descriptions of specific actions to be taken by local public entities and industries to comply with the policies and objectives of the Plan. These include measures for urban runoff management and wetland protection.

Consistency: The proposed development would not increase storm water runoff and development on the site will conform to the requirements of the City of Milpitas Stormwater C.3 Guidebook and the countywide National Pollutant Discharge Elimination System (NPDES) permit regarding erosion and sedimentation control during construction and post-construction. The project would be consistent with the Basin Plan.

Santa Clara Valley Urban Runoff Pollution Prevention Program

The Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) was developed in accordance with the requirements of the 1986 San Francisco Bay Basin Water Quality Control Plan, for the purpose of reducing water pollution associated with urban storm water runoff. This program was also designed to fulfill the requirements of Section 304(1) of the Federal Clean Water Act, which mandated that the Environmental Protection Agency develop National Pollutant Discharge Elimination System Permit application requirements for storm water runoff. The Program's Municipal NPDES storm water permit includes provisions requiring regulation of storm water discharges associated with new development and construction and development of an area-wide watershed management strategy. The permit also identifies recommended actions for the preservation, restoration, and enhancement of the San Francisco Bay Delta Estuary.

The State Water Resources Control Board implemented an NPDES general construction permit for the Santa Clara Valley. For properties of five acres or greater, a Notice of Intent (NOI) and

Storm Water Pollution Prevention Plan (SWPPP) must be prepared prior to commencement of construction. Subsequent to implementation of the general construction permit, the San Francisco Bay RWQCB issued a Municipal Storm Water NPDES Permit to the municipalities in Santa Clara Valley, the County of Santa Clara, and the Santa Clara Valley Water District (SCVWD) as co-permittees. The Urban Runoff Prevention Program assists the co-permittees in implementing the provisions of this permit.

In October 2001, the RWQCB approved an amendment to the NPDES Permit Number CAS 029718, Provision C.3. The amendment to Provision C.3. that became effective October 15, 2003 calls for more stringent standards for the management of stormwater runoff. The revised Provision C.3. requires all new and redevelopment projects that result in the addition or replacement of impervious surfaces totaling 43,560 square feet (one acre) or more, to be designed with Best Management Practices (BMPs) that reduce stormwater pollution to the maximum extent practicable through source control measures and stormwater treatment measures. In April 2005, the size threshold will be reduced from 43,562 square feet to 10,000 square feet.

Consistency: As discussed in Appendix A, Section IV.H., the proposed project includes all applicable Best Management Practices to ensure that there is no increase in erosion or sedimentation that could impact local waterways. The implementation of erosion control and storm water management practices during and after project construction will be in accordance with the SCVURPPP, NPDES permit requirements, and the City's Stormwater C.3 Guidebook. The proposed project would not result in an impact upon the conservation and restoration of streams and riparian zones or areas of special or unique ecological significance. For these reasons, the proposed project would be consistent with the SCVURPPP and NPDES permit process.

Santa Clara County Congestion Management Program

The Santa Clara Valley Transportation Authority (SCVTA) oversees the Santa Clara County *Congestion Management Program* (CMP), last updated in July 1995. The relevant State legislation requires that all urbanized counties in California prepare a CMP in order to obtain each county's share of increased gas tax revenues. The CMP legislation requires that each CMP contain five mandatory elements: 1) a system definition and traffic level of service (LOS) standard element; 2) a transit service and standards element; 3) a transportation demand management and trip reduction element; 4) a land use impact analysis element; and 5) a capital improvement element. Santa Clara County's CMP includes the five mandated elements and three additional elements, including a county-wide transportation model and database element, an annual monitoring and conformance element, and a deficiency plan element.

The Santa Clara County CMP includes intersections within Milpitas that are identified as CMP intersections. The CMP intersections in the immediate vicinity of the project site that would be affected by future project traffic would include E. Calaveras Boulevard/Milpitas Boulevard and W. Calaveras Boulevard/Abel Street.

The CMP also includes freeway segments. The six CMP freeway segments analyzed include:

- I-680: Jacklin Road to Calaveras Boulevard, SB
- I-680: Calaveras Boulevard to Yosemite Drive, SB
- I-680: Yosemite Drive to Montague Expressway, SB

- I-680: Montague Expressway to Yosemite Drive, NB
- I-680: Yosemite Drive to Calaveras Boulevard, NB
- I-680: Calaveras Boulevard to Jacklin Road, NB

Consistency: As discussed in Section II.C, *Transportation and Circulation,* the proposed project will comply with the provisions of the CMP.

2. Local Plans and Policies

City of Milpitas General Plan

The Milpitas General Plan is a comprehensive, long-term plan that represents the City's official development policy. The following is a summary of major strategies and policies that apply to the proposed project.

Land Use Element

The Land Use Element correlates land use policies contained in the other elements of the Milpitas General Plan. Land Use designations on the General Plan diagram and building densities and intensity standards contained in the Land Use Element, provide a basis for determining future traffic conditions and the need for capital facilities, such as street improvements, parks, and schools.

Policy 2.a-l-1: New developments should not exceed the building intensity limits established in the General Plan for *MFVHD.*[1]

Policy 2.a-l-2: Promote development within the incorporated limits which acts to fill-in the urban fabric rather than providing costly expansion of urban services into outlying areas.

Policy 2.a-l-12: Use zoning for new residential developments to encourage a variety and mix in housing types and costs.

Policy 2.a-l-13: Geographically disperse similar development types throughout the community so that denser districts are not concentrated within a single area of the City.

Policy 2.b-l-2: Consider locating housing in close proximity to industrial developments where they can be served by existing city services and facilities.

Policy 2.b-l-3: Provide housing opportunities in Milpitas by meeting the City's regional fair-share housing obligations.

Consistency: The proposed building intensity is consistent with General Plan policies for a structure of this type at this location. The proposed project will redevelop an underutilized parcel at an infill location within the City limits. It will provide high density housing in close proximity

[1] Unless permitted pursuant to access-mandated density bonuses for affordable housing as shown on page 2-11 of the Milpitas General Plan.

to existing and planned jobs and will help the City meet its fair share housing obligation. The project, therefore, is consistent with the polices of the General Plan Land Use Element.

Circulation Element

The Circulation Element is systematically and reciprocally correlated with the Land Use Element, which includes policies related to the physical framework for development that the circulation system is designed to serve. It is also related to the recreational plans and policies identified in the Open Space and Environmental Conservation Element.

Policy 3.a-l-1: Strive to maintain CMP LOS standards and goals for the CMP Roadway System in Milpitas.

Consistency: As stated in Section II.C., *Transportation*, the project will comply with the standards in the CMP. The CMP also encourages housing at infill locations, near job centers. This project supports that goal.

Open Space & Environmental Conservation Element

The purpose of the Conservation Element is to assure the conservation, development, and use of natural resources including water, forests, soils, rivers, fisheries, wildlife, minerals, and other natural resources. Similarly, the purpose of the Open Space Element is to assure the continued availability of land for the managed production of resources, to protect the enjoyment of scenic beauty and ensure provision of recreation, to identify and preserve lands whose indiscriminate development could compromise public health and safety, and to preserve natural resources.

Policy 4.a-l-1: Provide five acres of neighborhood and community parks for every 1,000 residents outside of the Midtown Specific Plan Area, and 3.5 acres of special use parks for every 1,000 residents within the Midtown Specific Plan Area.

Policy 4.a-l-2: For areas outside the Midtown Specific Plan Area, require land dedication or in lieu fees equivalent to the five acres/1,000 resident standard, but allow credit for private open space for up to two acres/1,000 residents for private open space provided in accordance with the criteria specified in the Subdivision Regulations.

Policy 4.d-l-1: Continue implementing the National Pollutant Discharge Elimination System (NPDES) requirements for the Regional Water Quality Control Board.

Consistency: The proposed project will comply with the City's residential park requirement (see Section IV.N., *Recreation* in Appendix A of this document) and the provisions of the NPDES permit (see Section IV.H., *Hydrology* in Appendix A of this document). The project, therefore, is consistent with the Open Space Element of the General Plan.

Seismic and Safety Element

State Law requires "…safety element for the protection of the community from any unreasonable risks associates with the effects of seismically induced surface rupture, ground shaking, ground failure, …dam failure; slope instability leading to mudslides and landslides, subsidence,

liquefaction and other seismic hazards identified pursuant to Chapter 7.8 of the Public Resources Code and other geologic hazards known to the legislative body; flooding; and wild land and urban fires…."

Policy 5.a-l-3: Require projects to comply with the guidelines prescribed in the City's Geotechnical Hazards Evaluation manual.

Consistency: The proposed project will comply with the requirements of the Uniform Building Code for Seismic Zone 4 (see Section IV.F., *Geology and Soils* in Appendix A of this document) which addresses all the geotechnical hazards outlined in the City's *Geotechnical Hazards Evaluation Manual*. The project, therefore, will comply with the Seismic Safety Element of the General Plan.

Noise Element

The Noise Element provides an understanding of existing and future noise conditions in the Planning Area, establishes a basis for evaluating potential noise level impacts on future development, and includes policy statements to guide public and private planning to attain and maintain acceptable noise levels.

Policy 6-l-4: Where actual or projected rear yard and exterior common open space noise exposure exceeds the "normally acceptable" levels for new single-family and multi-family residential projects, use mitigation measures to reduce sound levels in those areas to acceptable levels.

Policy 6-l-5: All new residential development (single family and multi-family) and lodging facilities must have interior noise levels of 45 dB DNL or less. Mechanical ventilation will be required where use of windows for ventilation will result in higher than 45 dB DNL interior noise levels.

Policy 6-l-13: Restrict the hours of operation, technique, and equipment used in all public and private construction activities to minimize noise impact. Include noise specifications in requests for bids and equipment information.

Consistency: As discussed in Section II.D., *Noise*, the proposed project will comply with the Noise Element of the General Plan.

II. ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

A. LAND USE

1. Existing Setting

The proposed project site is currently developed with a single-story warehouse type commercial building and a paved parking lot. A two-story Kaiser Permanente medical office building surrounded by a surface lot and extensive landscaping is located to the west. Berryessa Creek is also west of the project site, between the Kaiser building and South Hillview Street. A gas station with an attached car wash is located north of the project site. The gas station is located on the Calaveras Boulevard street frontage. Directly across Calaveras Boulevard from the gas station is the 10-story Embassy Suites hotel. A one-story windowless commercial building (Cal Skate) is located east of the project site. Just east of that structure is Interstate 680 (I-680).

Los Coches Street, which is a two-lane roadway, is located south of the project site. On the south side of Los Coches Street is the Arroyo De Los Coches drainage ditch and the Sinclair Horizons housing development. The housing development is an enclosed community accessed by a single driveway that is directly across the street from one of the driveways serving the proposed project. The housing development is comprised of two-story single-family wood frame houses on small lots. The stucco wall that surrounds the neighborhood is approximately 10 feet tall. South of Los Coches Street, on the west side of Berryessa Creek, are several small attached commercial offices. On the west side of South Hillview Street are additional Kaiser medical offices, a community center, and several industrial buildings (see Figure 4).

The project site is designated *Highway Services* by the City of Milpitas's General Plan and is zoned *HS* (Highway Service District).

2. Land Use Impacts

For the purposes of this EIR, a land use impact is considered significant if the project would:

- Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the General Plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect; or
- Substantially degrade the existing visual character or quality of the site and its surroundings; or
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Land Use Conflicts

Land use conflicts can arise from two basic causes: 1) a new development or land use may cause impacts to persons or the physical environment in the vicinity of the project

Figure 4 - Aerial

site or elsewhere; or 2) conditions on or near the project site may have impacts on the persons or development introduced onto the site by the new project. Both of these circumstances are aspects of land use compatibility. Potential incompatibility may arise from placing a particular development or land use at an inappropriate location, or from some aspect of the project's design or scope. Depending on the nature of the impact and its severity, land use compatibility conflicts can range from minor irritations and nuisance to potentially significant effects on human health and safety. The discussion below distinguishes between potential impacts *from* the proposed project *upon* persons and the physical environment, and potential impacts *from* the project's surroundings *upon* the project itself.

Land Use Compatibility Impacts

Implementation of the proposed project will result in a commercial building being replaced by two residential buildings and a parking garage. The proposed residential land use is compatible with the nearby Sinclair Horizons housing because they are both residential land uses. The adjacent Cal Skate recreational facility, Kaiser medical office building, and gas station are land uses that can commonly be found adjacent to residential neighborhoods throughout the Santa Clara County and Bay Area. Because the adjacent land uses do not pose a health or safety risk to the proposed residential development and due to the fact that a single-family neighborhood was approved and developed directly across the street from the project site and its adjacent land uses (which indicates that the City's General Plan considers these existing land uses as being generally compatible with residential land uses), the proposed project will also be compatible with the surrounding land uses.

The proposed project will not adversely impact the adjacent Kaiser medical office building, Cal Skate recreational facility, or gas station.

Visual Impacts

Aesthetics

Implementation of the proposed project would place two residential towers (one 10 stories tall and one 12 stories tall) across the street from an existing single-family neighborhood. Currently all the buildings within the immediate project area are one and two stories tall. The tallest building visible from the project site is the 10-story Embassy Suites Hotel located on the north side of Calaveras Boulevard, approximately 600 feet from the project site. The top of this building is visible from the existing residential neighborhood.

Development of the proposed residential towers will alter the view of the skyline looking north from the existing residential neighborhood (see Figure 5) and will alter the view corridor looking west down Calaveras Boulevard (see Figure 6). The building will not be visible looking east down Calaveras Boulevard until the observer is almost directly adjacent to it (see Figures 7 & 8). The north view from the existing neighborhood is not a designated view corridor and the development of the residential towers will be visible but will not obscure any scenic vista, damage scenic resources, or degrade the visual quality of the area. The west view from Calaveras Boulevard will appear more balanced

Figure 5 - Photo Sim

Figure 6 - Photo Sim

Figure 7 - Photo Sim

Figure 8 - Photo Sim

as the proposed project is similar in scale to the existing Embassy Suites Hotel and will help to visually balance the hotel. Because the proposed project will not degrade any existing view and will not alter any designated view corridor, the project will have a less than significant aesthetic impact.

Shade and Shadow

The existing building on the project site is a one-story structure that does not shade any of the adjacent or nearby buildings. Implementation of the proposed project will result in two residential towers (one 10-story tower and one 12-story tower) and a four-story parking structure being constructed on the project site. The taller buildings will result in substantial shadows being cast to the east and west of the buildings. Shading caused by new buildings is considered significant if the shadows are cast on public or private outdoor open space. The Calskate facility (east of the site) will be almost completely shaded in the afternoon during the winter months and partially shaded in the afternoon during the summer months. Approximately half of the Kaiser building (west of the site) will be shaded in the morning during the winter months and will not be shaded at all during the summer months. The gas station (north of the site) will be almost completely shaded at noon during with the winter months and will not be shaded at all during the summer months. These land uses to the east, north, and west of the site will not be impacted by the increased shadows because there is no public or private outdoor open space in these areas.

Approximately three houses within the Sinclair Horizons neighborhood will have their backyards shaded in the afternoon during the spring months. Even though the buildings will be shading private open space, the shading of three houses is not considered a significant impact. As a result, the project will have a less than significant shade and shadow impact.

Lighting

Lighting sources in the project area include ambient lighting in the Sinclair Horizons neighborhood, I-680, Calaveras Boulevard, a gas station, the Embassy Suites Hotel, the Kaiser medical office building, the project site, and the Cal Skate recreational facility. For reference, a typical residential street light has a light level of approximately 0.5 foot candles,[2] a gas station has an overall light level of approximately 40 to 45 foot candles, a typical commercial building parking lot has an overall light level of approximately 4.5 foot candles.

The project site currently does not have any lighting in the parking lot. The building has one light on each side attached approximately 5 feet below the roof line. These lights provide minimal lighting equivalent to the streetlights on Los Coches Street. The Kaiser medical office building has pole mounted lights throughout the parking lot with two fixtures on each pole. These lights are relatively bright compared to the streetlights on Los Coches Street and provide a substantial amount of the ambient light in the project area. The Cal Skate recreational facility has floodlights surrounding the building with eight lights directed toward the adjacent residential neighborhood. This facility is the

[2] The amount of illumination produced by a standard candle at a distance of one foot.

most visible light source from the residential neighborhood. The gas station is the most brightly lit property in the project area, but the majority of the residences with windows facing Calaveras Boulevard are shielded from the gas station lights by the existing building on the project site.

Project lighting that will be visible from the Sinclair Horizons neighborhood includes overhead lighting in the parking structure, light poles along the pedestrian walkway, driveway and parking garage entrance, and sconce lights on the south tower building. The lights along the project driveway and pedestrian walkway in front of the building would include shielded fixtures mounted on 12-foot light poles. The lights on the south tower building would be sconce lights mounted nine feet above the ground surface. The main lighting source on the project site would be the parking garage, which would have overhead lighting on each level. These fixtures would be covered to direct the light downward and minimize spill light; however, the light fixtures on the second, third, and fourth floors would still be somewhat visible from street level. The pool deck on the roof of the parking garage would have landscape lighting and fixtures mounted on 10-foot light poles.

Based on the lighting plan, the parking garage would have an average overall light level of 5.04 foot candles, with measured light levels of 0.6 to 1.1 foot candles at the south end of the structure. The pool deck would have an average light level of 0.2 foot candles. At the south property line (measured at the project driveway), the lighting levels will range from 0.4 to 2.0 foot candles and drop to 0.5 foot candles on Los Coches Street. Lighting from the project site will be visible from the surrounding area, including the Sinclair Horizons neighborhood (located approximately 140 feet from the south property line of the project site), and will add to the overall ambient light levels of the project area. Light levels diminish, however, as you move away from a light source, as is demonstrated in the projected light levels listed above. In addition, the lighting plan for the project site has been designed to avoid any light source shining directly into the adjacent neighborhood and the neighborhood is surrounded by a 10-foot sound wall that will further reduce the effects of the proposed lighting. Ambient light from the proposed project, however, will not adversely affect the residents of the adjacent neighborhood or cause a noticeable increase in light levels.

The proposed project will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

3. Mitigation and Avoidance Measures for Land Use Impacts

No mitigation is required or proposed.

Conclusion: **Implementation of the proposed project will not degrade any existing view and will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. As a result, the proposed project will have a less than significant land use impact.**

B. HAZARDOUS MATERIALS

The following information is based on a Phase I Environmental Assessment prepared by *SECOR International Inc.* in December 1997 and a Phase 2 Environmental Assessment prepared by *RRM, Inc.* in June 2004 (see Appendixes B & C).

1. Existing Setting

The project site is located in an area developed with commercial, industrial, and residential buildings. The existing building on site was developed in 1976. Prior to construction, the project site and the surrounding area were developed as agricultural land. Aerial photographs from 1977 show the land south of Los Coches Street (currently a residential neighborhood) as being developed with the Cook Paint & Varnish facility. The gas station also appears to have been constructed by this time; however, the Kaiser buildings were not.

Two of the adjacent land uses mentioned above, Cook Paint & Varnish and the gas station, have been reported on one or more local, state or federal hazardous materials databases. Cook Paint & Varnish was a large quantity generator of hazardous materials. Two compliance violations were reported for this facility while it was in operation. Both violations were reported corrected and the facility was brought into compliance with all applicable regulations.

The gas station is also a large quantity generator and has been identified as a Leaking Underground Storage Tank (LUST) facility. This site was reported as having an unauthorized release of gasoline in 1985.

The building currently located on the project site was constructed in 1976. Based on the age of the building, it is reasonable to expect that the building could contain asbestos containing materials (ACMs). Suspect ACMs could include floor tiles, acoustical ceiling panels, wallboard, and roofing materials. In addition, the building could have lead based paint.

2. Hazardous Materials Impacts

Thresholds of Significance

For the purposes of this EIR, a hazardous materials impact is considered significant if the project would:

- create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;
- emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;

- impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or
- create a significant hazard to the public or the environment from existing hazardous materials contamination by exposing future occupants or users of the site to contamination in excess of soil and groundwater cleanup goals developed for the site.

Sources of On-Site Impacts

Asbestos and Lead-Based Paint

Since the building on the project site was built prior to 1980, asbestos-containing materials (ACMs) may be present. Demolition of this building would occur prior to redevelopment with high density residential uses. Prior to issuance of demolition permits by the City, an asbestos survey must be conducted under National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines. In addition, NESHAP guidelines require that all potentially friable ACM be removed prior to building demolition or renovation that may disturb the ACM.

Demolition of buildings which contain lead-based paint could create lead-based paint dust at concentrations which would expose workers and nearby receptors to potential health risks. State regulations require that air monitoring be performed during and following renovation or demolition activities at sites containing lead-based paint. Appropriate modifications to renovation/demolition activities would be required if airborne lead levels exceed the current Federal OSHA action level of 30 micrograms per cubic meter ($\mu g/m^3$). If the lead based paint is peeling, flaking, or blistered, it would need to be removed prior to demolition. It is assumed that such paint will become separated from the building components during demolition activities. As a result, it must be managed and disposed of as a separate waste stream. If the lead based paint is still bonded to the building materials, its removal is not required prior to demolition. It will be necessary, however, to follow the requirements outlined by Cal/OSHA Lead in Construction Standard, Title 87, California Code of Regulations (CCR 1532.1) during demolition.

- **Implementation of the proposed project would result in demolition of a building likely to contain ACMs and lead-based paint. Demolition done in conformance with federal and state laws and regulations will avoid exposure of construction workers and/or the public to contaminants, including lead-based paint and asbestos, if those materials become airborne. (Less Than Significant Impact)**

Sources of Off-Site Impacts

In January 2004, three groundwater samples were taken from two borings on the project site near the Shell Service Station and an additional groundwater sample was taken upgradient of the station (southeast) to provide a comparison of background water quality. All the samples were analyzed for the presence of petroleum hydrocarbons (gasoline) and selected fuel constituents including benzene, toluene, ethyl benzene, xylene, and methyl tert-butyl ether. The location of the upgradient water sample was within the boundary of the former lumber storage yard on the project site. As a result,

this sample was also tested for toxic wood preservative chemicals including arsenic, hexavalent chromium, and pentachlorophenol.

Only one of the four water samples showed trace amounts of petroleum hydrocarbons and there was no detectable amount of hydrocarbons in the other three samples. The sample with the trace amounts of hydrocarbons showed less than one part per billion (ppb) of toluene. The only other chemical detected was hexavalent chromium in the upgradient sample at a concentration of 54 ppb. State law limits chromium in drinking water to 50 ppb. Because the chromium detected was limited to one sample, additional sampling was requested to determine if the chromium was the result of background concentrations, analytical error, or impacted groundwater from the former lumber storage yard or the nearby Cook Paint & Varnish site.

Based on the results of the groundwater analysis, it was determined that the contamination on the Shell Station site has not migrated to the project site and has not impacted the groundwater on the project site. Furthermore, active cleaning up of the Shell Station site has been ongoing for a number of years. Since the Shell site has not yet impacted the project site, it is assumed that it does not pose any future threat to the project site because the threat of contamination will diminish over time.

In April 2004, two soil samples were taken from two borings on the project site at a depth of five feet below grade. Groundwater samples were also collected from each boring. Due to the presence of chromium and lead found in soil samples at the former Cook Paint & Varnish site, the soil was tested for total chromium, hexavalent chromium, and lead. Hexavalent chromium and lead were not detected in any of the soil samples above laboratory limits. Both samples contained total chromium at concentrations of 52 parts per million (ppm) and 47 ppm. Chromium and lead were not detected in the groundwater samples above laboratory reporting limits.

The presence of total chromium in the soil samples was not unexpected because chromium is common in Bay Area soils. The California Regional Water Quality Control Board (CRWQCB) considers a total chromium level of 58 ppm to be a typical background level in Bay Area soils and has set the risk-based environmental screening level for shallow soils in a residential land use scenario at 58 ppm. The levels reported in the soil samples are consistent with background concentrations and are below applicable state environmental screening levels.

Based on the results of the soil analysis, it has been determined that the contamination on the Cook Paint & Varnish site has not migrated to the project site and has not impacted the soil or groundwater on the project site. Furthermore, contamination on the Cook Paint & Varnish site was cleaned up prior to development of the current residential neighborhood and does not pose any future threat to the project site.

3. Mitigation and Avoidance Measures for Hazardous Materials Impacts

Based on existing laws and regulations, the following measures have been included in the project to reduce potential hazardous materials impacts:

- *AB3205* contains legislation that requires businesses which use extremely hazardous materials to submit a Risk Management and Prevention Plan to the administering agency upon request. The Santa Clara County Department of Health Services, Toxic Substances Control Division is the administering agency for the local implementation of AB3205. The required plans identify specific risks associated with the use and storage of extremely hazardous materials at specific locations, along with potential target populations which may be at risk. Any nearby businesses that use these substances must conform to this law.

- *AB2185 and AB3777* contain requirements for emergency response plans. The purpose of these plans is to assist local agencies in preparing for a hazardous materials spill. Emergency plans identify the potential for accidents in a community, define a chain of command in the event of an emergency, outline escape routes if necessary, and provide other emergency procedures. Each responsible agency maintains detailed operation procedures for responses to hazardous materials problems. Any nearby businesses that are covered by these laws will be required to prepare these plans.

- All demolition activities would be undertaken according to OSHA and EPA standards to protect workers, and off-site occupants from exposure to asbestos and lead based paint. Specific measures include air monitoring during demolition of existing buildings and construction activities.

- Building materials classified as hazardous materials would be disposed of in conformance with federal, state, and local laws.

Conclusion: **Implementation of the proposed mitigation measures would reduce hazardous materials impacts to a less than significant level. (Less Than Significant with Mitigation)**

C. TRANSPORTATION AND CIRCULATION

The information provided in this section is based on a traffic impact analysis prepared by *Hexagon Transportation Consultants* in March 2005. The complete report is provided in Appendix D.

1. Existing Setting

The project site is located on the block bounded by Calaveras Boulevard/State Route 237 (SR 237) to the north, Interstate 680 (I-680) to the east, Los Coches Street to the south, and South Hillview Street to the west, in the City of Milpitas.

Existing Roadway Network

Regional Access

I-680 is a north/south freeway traversing the eastern portion of Milpitas. This freeway connects the inland East Bay communities to the north with San José to the south. I-680 has six mixed flow lanes north of SR 237 and eight mixed flow lanes south of SR 237. A southbound high occupancy vehicle (HOV) lane is currently in operation north of Calaveras Boulevard.

Interstate 880 (I-880) is a north/south freeway providing regional access from East Bay cities to San José, where it becomes State Route 17 (SR 17). Within the City of Milpitas, I-880 is a six-to-eight lane freeway. The initial construction phases of the SR 237/I-880 interchange have recently been completed. South of Montague Expressway, I-880 has recently been widened to six lanes.

SR 237/Calaveras Boulevard is an east/west arterial between I-880 and I-680 and generally provides six lanes (four on the Union Pacific overcrossing). West of I-880, this facility becomes a freeway with four mixed flow lanes and two HOV lanes. Calaveras Boulevard accommodates a significant amount of regional through traffic during the peak commute hours. Milpitas staff estimate that approximately 50 percent of the peak hour traffic between I-680 and I-880 is generated outside of Milpitas. The predominant direction of travel is westbound in the morning and eastbound during the afternoon.

Local Access

Hillview Drive is a two-lane collector street, which runs north from Yosemite Drive to Calaveras Boulevard. North of Calaveras Boulevard, Hillview Drive is a residential street along I-680.

Los Coches Street is a two-lane east-west collector street that provides access to local businesses and residential areas.

Sinclair Frontage Road is a two-lane frontage road that extends south from Los Coches Street. It runs north-south parallel to I-680, which is directly to the east.

Existing Bicycle and Pedestrian Facilities

There are several county-designated bikeways within the vicinity of the project site. Bike lanes are provided on Milpitas Boulevard north of Yosemite Drive, on Main Street south of Calaveras Boulevard, Jacklin Road between Milpitas Boulevard and Park Victoria Drive, Park Victoria Drive north of Jacklin Road, and Yosemite Drive from Milpitas Boulevard to Park Victoria Drive. Bike routes are provided along Yosemite Drive from Milpitas Boulevard to Marylinn Drive, on Marylinn Drive between Abel Street and Main Street, and on East Calaveras Boulevard east of Park Victoria Drive. The existing bicycle facilities within the study area are shown on Figure 9.

Sidewalks are located on the south side of Los Coches street across from the project site. Sidewalks are also available on Sinclair Frontage Road, Hillview Drive, and Calaveras Boulevard. There are no sidewalks on the north side of Los Coches next to the project site or along the adjacent parcels.

Existing Transit Service

Existing transit service to the study area is provided directly by local Valley Transportation Authority (VTA) buses. The No. 77 line provides service between Eastridge Mall and the City of Milpitas via Milpitas Boulevard, with 15 to 30 minute headways during commute hours. The No. 47 line provides service between the Great Mall light rail transit (LRT) station and north/east Milpitas via Calaveras Boulevard, with 15 to 30 minute headways during commute hours. These routes and other nearby VTA bus routes are shown in Figure 10.

Existing Intersection Operations

Methodology

Traffic conditions at the study locations were evaluated using level of service (LOS). Level of service is a qualitative description of operating conditions ranging from LOS A, or free-flowing conditions with little or no delay, to LOS F, or jammed conditions with excessive delays. The correlation between average delay and level of service is shown in Tables 1 and 2.

In addition to the level of service evaluation, an assessment was made for unsignalized intersections to determine if the proposed project would require signalization of any of the unsignalized intersections.

An operations analysis of the study intersections was also conducted based on vehicle queuing for high-demand turning movements. The basis of the analysis is: 1) the estimated 95th percentile maximum number of queued vehicles per signal cycle for a particular turning movement; 2) the assumption of 25 feet of queue length per vehicle; and 3) the estimated maximum queue length compared to the existing or planned available storage capacity for the turning movement. This analysis, therefore, provides a basis for estimating future storage requirements at the study intersections.

Figure 9 – Bicycle Facilities

Figure 10 – Transportation

TABLE 1 Signalized Intersection Level of Service Definitions Based on Delay		
Level of Service	**Description**	**Average Control Delay per Vehicle[3]**
A	Operations with very low delay occurring with favorable progression and/or short cycle lengths.	10.0 or less
B	Operations with low delay occurring with good progression and/or short cycle lengths.	10.1 to 20.0
C	Operations with average delays resulting from fair progression and/or longer cycle lengths. Individual cycle failures begin to appear.	20.1 to 35.0
D	Operations with longer delays due to a combination of unfavorable progression, long cycle lengths, or high V/C/ ratios. Many vehicles stop and individual cycle failures are noticeable.	35.1 to 55.0
E	Operations with high delay values indicating poor progression, long cycle lengths, and high V/C ratios. Individual cycle failures are frequent occurrences. This is considered to be the limit of acceptable delay.	55.0 to 80.0
F	Operation with delays unacceptable to most drivers occurring due to over saturation, poor progression, or very long cycle lengths.	Greater than 80.0

TABLE 2 Unsignalized Intersection Level of Service Definitions Based on Delay		
Level of Service	**Description**	**Average Control Delay per Vehicle[4]**
A	Operations with very low delay occurring with favorable progression.	10.0 or less
B	Operations with low delay occurring with good progression.	10.1 to 20.0
C	Operations with average delays resulting from fair progression.	20.1 to 35.0
D	Operations with longer delays due to a combination of unfavorable progression, long cycle lengths, or high V/C/ ratios.	35.1 to 55.0
E	Operations with high delay values indicating poor progression, long cycle lengths, and high V/C ratios. This is considered to be the limit of acceptable delay.	55.0 to 80.0
F	Operation with delays unacceptable to most drivers occurring due to over saturation and poor progression.	Greater than 80.0

Existing Intersection Level of Service

The City of Milpitas considers intersection operations of LOS D or better to be acceptable. The CMP identifies LOS E or better as acceptable.

Analysis of the existing intersection operations concluded that, measured against the appropriate level of service standards, none of the study intersections currently operate at

[3] Measured in Seconds.
[4] Measured in Seconds.

an unacceptable LOS. The results of the analysis under existing conditions are summarized in Table 3.

TABLE 3
Existing Intersection Levels of Service

Intersection	AM Peak Hour		PM Peak Hour	
	Delay	LOS	Delay	LOS
W. Calaveras & I-880 NB Ramps	13.5	B	25.9	C
W. Calaveras & Abbott Avenue	30.3	C	31.3	C
W. Calaveras & Serra Way	19.4	B	24.4	C
W. Calaveras & Abel Street*	31.3	C	34.0	C
E. Calaveras & Milpitas Boulevard*	55.8	E	40.4	D
E. Calaveras & Hillview Drive	27.4	C	34.2	C
E. Calaveras & Park Victoria Drive	32.9	C	32.2	C
Hillview Drive & Los Coches Street**	13.2	B	11.7	B
Horizons Drive & Los Coches Street**	11.3	B	10.9	B

** denotes a CMP Intersection*
*** denotes an unsignalized intersection*

Existing Signal Warrants

The peak-hour signal warrant was checked for the unsignalized intersection of Hillview/Los Coches and Los Coches/Project Driveway to determine whether signalization would be justified on the basis of existing peak-hour volumes. The analysis showed that the peak-hour volume signal warrant is not satisfied under existing conditions at the intersections.

Existing Intersection Operations

The westbound left-turn lane at the intersection of Hillview and Calaveras was evaluated for storage capacity. Under existing conditions, the 95th percentile queue is 12 vehicles (300 feet) during both the AM and PM peak hours while the available storage capacity is 200 feet, or approximately eight vehicles. Therefore, the existing storage capacity of the westbound left-turn lane is insufficient by 100 feet.

Background Conditions

For the purpose of this analysis, it is assumed that the future near-term roadway network and intersection lane configuration under existing conditions would be same as the existing roadway network, with one exception. An exclusive northbound right turn lane is planned for the intersection of Abel Street and Calaveras Boulevard. Bicycle, transit, and pedestrian facilities under background conditions were assumed to remain unchanged from existing conditions.

Background peak-hour traffic volumes were calculated by adding estimated traffic from approved but not yet constructed development to the existing conditions.

Background Intersection Level of Service

Analysis of the background intersection operations concluded that, measured against the appropriate level of service standards, all but one of the study intersections will operate at an unacceptable LOS with the addition of background traffic. The intersection of East Calaveras Boulevard and Milpitas Boulevard is projected to degrade to LOS F during the AM peak hour as a result of approved development. The results of the analysis under background conditions are summarized in Table 4.

TABLE 4
Background Intersection Levels of Service

Intersection	AM Peak Hour		PM Peak Hour	
	Delay	**LOS**	**Delay**	**LOS**
W. Calaveras & I-880 NB Ramps	15.8	B	43.8	D
W. Calaveras & Abbott Avenue	32.6	C	32.4	C
W. Calaveras & Serra Way	21.4	C	26.4	C
W. Calaveras & Abel Street*	36.4	D	34.3	C
E. Calaveras & Milpitas Boulevard*	**82.3**	**F**	42.0	D
E. Calaveras & Hillview Drive	28.5	C	35.6	D
E. Calaveras & Park Victoria Drive	33.2	C	32.7	C
Hillview Drive & Los Coches Street**	14.2	B	11.8	B
Horizons Drive & Los Coches Street**	11.3	B	10.9	B

** denotes a CMP Intersection*
*** denotes an unsignalized intersection*

Background Signal Warrants

The peak-hour signal warrant was checked for the unsignalized intersection of Hillview/Los Coches and Los Coches/Project Driveway to determine whether signalization would be justified on the basis of background peak-hour volumes. The analysis showed that the peak-hour volume signal warrant is not satisfied under background conditions at the intersections.

Background Intersection Operations

Under background conditions, the westbound left-turn lane at the Hillview/Calaveras intersection would continue to be deficient. The 95th percentile queues would be 13 vehicles during the AM peak hour and 12 vehicles during the PM peak hour. As stated previously, the existing left-turn lane only provides storage for eight vehicles.

2. Traffic Impacts

Thresholds of Significance

For the purpose of this EIR, a traffic impact is considered significant if the project would:

- cause the level of service at any local intersection to degrade from an acceptable LOS D or better under background conditions to an unacceptable LOS E or F under project conditions; or
- cause the level of service at any local intersection to be an unacceptable LOS E or F under background conditions and the addition of project trips causes the critical-movement delay at the intersection to increase by four or more seconds and the demand-to-capacity ratio (V/C) to increase by .01 or more; or
- impeded the development or function of planned pedestrian or bicycle facilities; or
- substantially impede the operation of a transit system as a result of congestion; or
- create an operational safety hazard.

Project Impacts

Trip Generation Rates

The magnitude of traffic added to the roadway system by a particular development is estimated by multiplying the applicable trip generation rates by the size of the development. The trip generation rates used in the City of Milpitas are based on those recommended by the San Diego Association of Governments (SANDAG). Based on the residential rates recommended by SANDAG, the project (based on a maximum unit count of 195[5]) would generate 125 trips during the AM peak hour and 156 trips in the PM peak hour. The project trip generation estimates are presented in Table 5 below.

TABLE 5
Project Trip Generation Estimates

Use	Am Peak Hour Trips			PM Peak Hour Trips		
	In	Out	Total	In	Out	Total
Residential	25	100	125	109	47	156

Intersection Level of Service Analysis

The results of the level of service analysis show that one of the study intersections would operate at an unacceptable LOS under project conditions. The intersection of East Calaveras Boulevard and Milpitas Boulevard would operate at LOS F under the background conditions. The project, however, would add more than four seconds of critical delay and increase the demand-to-capacity ratio by more than 0.01. The proposed project, therefore, would cause significant LOS impacts at one of the study intersections. The results of the level of service analysis under project conditions are summarized in Table 6.

[5] The maximum unit count analyzed in the Traffic Impact Analysis is 15 units higher than the actual proposed project, which is 180 units.

TABLE 6 Project Intersection Levels of Service								
Intersection	**Background**				**Project**			
	AM Peak		**PM Peak**		**AM Peak**		**PM Peak**	
	Delay	**LOS**	**Delay**	**LOS**	**Delay**	**LOS**	**Delay**	**LOS**
W. Calaveras & I-880 NB Ramps	15.8	B	43.8	D	16.1	B	47.5	D
W. Calaveras & Abbott Ave	32.6	C	32.4	C	33.1	C	32.5	C
W. Calaveras & Serra Way	21.4	C	26.4	C	21.6	C	26.4	C
W. Calaveras & Abel Street	36.4	D	34.3	C	37.0	D	34.7	C
E. Calaveras & Milpitas Blvd	**82.3**	**F**	42.0	D	**85.9**	**F**	42.2	D
E. Calaveras & Hillview Dr	28.5	C	35.6	D	29.9	C	37.0	D
E. Calaveras & Park Victoria Drive	33.2	C	32.7	C	33.2	C	32.7	C
Hillview & Los Coches St	14.2	B	11.8	B	16.2	C	13.4	B
Horizons & Los Coches St	11.3	B	10.9	B	12.6	B	12.8	B

- **Implementation of the proposed project would have a significant impact on the intersection of East Calaveras Boulevard and Milpitas Boulevard by adding more than four seconds of critical delay to the intersection and increasing the demand-to-capacity ratio by more than 0.01. (Significant Impact)**

Operational Conditions

Signal Warrant Analysis

The peak hour signal warrant was checked for the unsignalized intersection of Hillview Drive/Los Coches Street and Los Coches Street/Project Driveway to determine whether signalization would be justified on the basis of project peak hour volumes. The analysis shows that peak hour volumes would not trigger signal warrants at either of the unsignalized intersections. The Los Coches Street and Hillview Drive intersection, however, is on the City's signal priority list. Because the proposed project will contribute traffic to this intersection, the City has determined that the project will pay a "fair share" contribution toward future design and construction of a traffic signal system at this intersection.

Intersection Operations Analysis

The analysis of project intersection level of service was supplemented with an analysis of intersection operations for the signalized intersection of Calaveras Boulevard and Hillview Drive. The operations analysis is based on the vehicle queuing for high-demand turning movements at intersections. The analysis indicated that the estimated maximum vehicle queues for the westbound left-turn movement would continue to exceed the existing vehicle storage capacity. Under background conditions for the AM and PM peak hours, the 95th percentiles queue will be 13 vehicles and 12 vehicles, respectively. There is currently 200 feet of storage space in the westbound left-turn lane, which can accommodate approximately eight vehicles. The proposed project would result in a queue of 13 vehicles during the AM peak hour and 14 vehicles in the PM peak hour.

Because the left-turn movement at this intersection already operates far above the available capacity, the addition of two cars in the PM peak hour will contribute to the operational failure of the intersection but will not by itself cause a significant safety impact on the intersection.

In addition to queuing concerns, there are also weaving concerns on Calaveras Boulevard westbound between the I-680 ramps and the westbound left-turn pocket at Hillview Drive/Calaveras Boulevard. The distance between the southbound I-680 off-ramp and the westbound left turn pocket is sub-standard for vehicles to comfortably merge across three lanes of traffic. The proposed project will pay a "fair share" contribution toward the extension of the westbound left-turn pocket at the intersection of Hillview Drive and East Calaveras Boulevard and any necessary improvements on the subject roadway segment.

Site Access

Site access is provided via Los Coches Street and East Calaveras Boulevard. The project would have one full access driveway on Los Coches Street, directly opposite Horizons Drive (the entrance to the residential neighborhood across the street). The project site can also be accessed by one right-turn only driveway on Calaveras Boulevard, through the adjacent medical office parking lot to the northwest. The full access driveway on Los Coches is projected to operate at LOS B during peak hours under project conditions.

On-Site Circulation

The proposed project would provide one main on-site roadway that goes from Los Coches Street to an east/west parking aisle at the north end of the project site. This roadway would be located between the proposed parking structure and the proposed residential buildings. The parking structure will be gated and used only for residential parking. Guest parking will be provided in the surface parking lot at the north end of the project site. Approximately 30 feet north of the Los Coches Street driveway, there will be a three-legged intersection on the project site. The legs of the intersection would not align at 90 degrees and the parking garage could obstruct the sight lines between vehicles. Due to low traffic volumes and vehicle speeds on-site, however, this would not create an operational safety impact.

Parking

Parking for the proposed project would be provided on-site in a four-story parking garage and in a surface parking lot. On-street parallel parking is also proposed on Los Coches Street as a traffic calming measure,[6] but is not counted as part of the overall required parking provided by the project. Based on the City of Milpitas Zoning Ordinance, studio units are required to have one covered parking space, one-bedroom units are required to have 1.5 covered parking spaces per unit, and units with two or more bedrooms are required to have two covered parking spaces per unit. In addition, the project must provide guest parking (covered or uncovered) equal to 15 percent of the total resident

[6] By allowing cars to park on either side of Los Coches Street, the street appears smaller and reduces visibility to the sidewalk, which typically results in drivers driving more slowly.

parking requirement. This results in a total parking requirement of 398 total spaces (346 resident and 52 guest). The project proposes 379 covered parking spaces in the garage and 44 uncovered parking spaces in the surface parking lot for a total of 423 parking spaces. The extra 28 parking spaces in the parking garage will be used for guest parking and the remaining 24 required spaces will be accommodated in the surface parking lot. The proposed project will meet the City of Milpitas parking requirement.

Due to expressed concerns that residents of or visitors to the proposed project would park within the existing residential neighborhood on the south side of Los Coches Street, the project proponent has agreed to install an access gate at the entrance to the existing residential development at the discretion of the neighborhood. If approved by the Sinclair Horizons neighborhood, installation of the gate will require a permit from the City. The interior roadway of the residential neighborhood is private and is maintained by the homeowners association. Based on recent traffic counts, the peak hour vehicle demand is 41 vehicle trips entering Horizons Drive in the PM peak hour, which equates to approximately one vehicle trip every 90 seconds. Assuming a gate saturation flow rate of 275 vehicles per hour (based on a standard key card operated gate) and a normal distributed vehicle arrival pattern, the 95th percentile queue would be one vehicle. Because there may likely be circumstances where two vehicles arrive simultaneously, however, a 50-foot inbound queue is recommended for safe operation. The current design of Horizons Drive would allow a 50-foot inbound queue with the installation of a gate.

3. Mitigation and Avoidance Measures for Transportation Impacts

There is no mitigation available that could reasonably be implemented by the proposed project to reduce level of service impact to the East Calaveras Boulevard/Milpitas Boulevard intersection. For this reason, this impact is considered significant and unavoidable. The project proponent will be required, however, to make a fair share contribution to the widening of Calaveras Boulevard.

Conclusion: **Implementation of the proposed project will have a significant unavoidable impact on one signalized intersection, but will have a less than significant impact on the remaining local transportation network.**

D. NOISE

The information provided in this section is based on a noise analysis prepared by *Charles M. Salter & Associates* in December 2004. The complete report is provided in Appendix E.

1. Existing Setting

Fundamental Concepts of Environmental Acoustics

Noise is defined as unwanted sound. Airborne sound is a rapid fluctuation of air pressure above and below atmospheric pressure. Sound levels are usually measured and expressed in decibels (dB) with 0 dB corresponding roughly to the threshold of hearing.

Most of the sounds heard in the environment do not consist of a single frequency, but rather a broad band of frequencies, with each frequency differing in sound level. The intensities of each frequency add together to generate a sound. The method commonly used to quantify environmental sounds consists of evaluating all of the frequencies of a sound in accordance with a weighting that reflects the facts that human hearing is less sensitive at low frequencies and extreme high frequencies than in the frequency mid-range. This is called "A" weighting, and the decibel level so measured is called the A-weighted sound level (dBA). In practice, the level of a sound source is measured using a sound level meter that includes an electrical filter corresponding to the A-weighting curve.

Although the A-weighted noise level may adequately indicate the level of environmental noise at any instant in time, community noise levels vary continuously. Most environmental noise includes a conglomeration of noise from distant sources which create a relatively steady background noise in which no particular source is identifiable. To describe the time-varying character of environmental noise, the statistical noise descriptors, L_{01}, L_{10}, L_{50}, and L_{90}, are commonly used. They are the A-weighted noise levels equaled or exceeded during 1%, 10%, 50%, and 90% of a stated time period. A single number descriptor called the L_{eq} is also widely used. The L_{eq} is the average A-weighted noise level during a stated period of time.

In determining the daily level of environmental noise, it is important to account for the difference in people's response to daytime and nighttime noises. During the nighttime, exterior background noises are generally lower than the daytime levels. Most household noise decreases at night, however, and exterior noise becomes very noticeable. Further, most people sleep at night and are very sensitive to noise intrusion. To account for human sensitivity to nighttime noise levels, a descriptor, L_{dn} (day/night average sound level), was developed. The L_{dn} divides the 24-hour day into the daytime of 7:00 AM to 10:00 PM and the nighttime of 10:00 PM to 7:00 AM. The nighttime noise level is weighted 10 dB higher than the daytime noise level. The Community Noise Equivalent Level (CNEL) is another 24-hour average which includes both an evening and nighttime weighting. This is the method used for General Plan planning purposes in the City of Milpitas.

Regulatory Background

The State of California and the City of Milpitas have established guidelines, regulations, and policies designed to limit noise exposure at noise sensitive land uses. These standards are found in the State of California Building Code and the City of Milpitas General Plan.

Section 1208 of the 1998 California Building Code

New multi-family housing in the State of California is subject to the environmental noise limits set forth in Appendix Chapter 1208A.8.4 of the California Building Code. The noise limit is a maximum interior noise level of 45 dBA L_{dn}/CNEL. Where exterior noise levels exceed 60 dBA $L_{dn,}$ a report must be submitted with the building plans describing the noise control measures that have been incorporated into the design of the project to meet the noise limit.

City of Milpitas General Plan

The Noise Element of the City of Milpitas General Plan identifies noise and land use compatibility standards for various land uses. The City's goal is to "Maintain land use compatibility with noise levels similar to those set by State guidelines."

Residential land uses are considered "normally acceptable" with an exterior day/night noise level of up to 60 dBA CNEL based on the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements. Residential Land uses are considered "conditionally acceptable" with an exterior day/night noise level of up to 70 dBA CNEL. At this level new construction or development should be undertaken only after a detailed noise analysis of the noise reduction requirements is made and needed noise insulation features are included in the design. An exterior day/night noise level above 70 dBA CNEL is discouraged and a noise level above 75 dBA CNEL is unacceptable. Where exterior noise levels exceed 60 dBA CNEL, habitable rooms of new multi-family residential developments are required to have an interior noise level of 45 dBA CNEL or less.

For common open space areas of multi-family residential projects, an exterior noise level up to 65 dBA CNEL is "normally acceptable" and an exterior noise level up to 70 dBA CNEL is considered "conditionally acceptable."

Existing Noise Environment

The primary noise source affecting the project site is traffic from I-680 (located east of the site) and SR 237 (located adjacent to the site).

To quantify the existing noise environment at the project site, noise measurements were conducted on January 20th and 21st, 2004. Two long-term monitors measured noise levels for a continuous 24-hour period. In addition, short-term "spot" measurements were taken at the same locations.

Measurement Location 1 was located approximately 720 feet west of the I-680 median centerline, 400 feet south of the SR 237 median centerline, and 13 feet above the current site elevation. This location is representative of the noise exposure for the second floor of the proposed south tower's northeast façade. At this location, the 24-hour noise measurement was 67 dBA CNEL. A short-term measurement was conducted in the same location, except at a height of 35 feet. This height represents noise exposure for the fourth floor of the proposed south tower's northeast façade. At this location, the short-term noise measurement was 71 dBA.

Measurement Location 2 was located at the northwest corner of the project site, approximately 290 feet south of the SR 237 median centerline, and 13 feet above the current site elevation. This location is representative of the noise exposure for the second floor of the proposed north tower's northwest façade. At this location, the 24-hour noise measurement was 66 dBA CNEL.

Based on the noise measurements taken at the project site, future noise exposure of the proposed buildings was calculated for all the floors of both towers. The results of the calculations are shown in Table 7.

TABLE 7
Future Noise Exposure (dBA)

Floor	North Tower				South Tower			
	NW	NE	SE	SW	NW	NE	SE	SW
Ground	66	69	68	<65	<65	67	67	<65
2nd	67	70	68	<65	<65	68	67	<65
3rd	68	72	69	<65	<65	70	69	<65
4th	69	74	71	67	<65	71	70	<65
5th	70	75	72	68	67	73	71	<65
6th to 8th	70	76	73	68	68	74	72	66
9th & 10th	70	76	73	68	68	74	72	66
11th and 12th	70	76	73	68	68	74	72	66

2. Noise and Vibration Impacts

Thresholds of Significance

For the purposes of this EIR, a noise or vibration impact is considered significant if the project would:

- Expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; or
- Expose persons to, or generate, excessive groundborne vibration or groundborne noise levels; or
- Create a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project; or
- Create a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project; or

- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels; or
- For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels.

Noise Impacts to the Project Site

Exterior Noise

Common open space areas of the proposed project include a recreational deck on top of the four-story parking structure and a private outdoor use space located east of the two towers. Taking into account the acoustical shielding that would be provided by the edge of the elevated I-680, the proposed 8-foot tall sound wall, and the proposed residential structures, the recreational deck would have a future noise level of 61-62 dBA CNEL. This is considered normally acceptable by the City of Milpitas.

Taking into account the acoustical shielding of the proposed 8-foot tall sound wall, the private outdoor use space would have a future noise level of 65-66 dBA CNEL. Approximately 20 percent of the outdoor use area (the southeast corner) would be exposed to a noise level of 65-66 dBA CNEL. The remaining portion of the outdoor use area would be exposed to a noise level of no more than 65 dBA CNEL, which is normally acceptable for this type of development. A noise level of 66 dBA CNEL is considered conditionally acceptable.[7] Due to the relatively small area of impact and the fact that the highest noise level will be only one decibel greater than the acceptable noise level, this minor exception would not create a significant noise impact.

The proposed common open space area of the project site will not expose future residents to unacceptable sound levels and will have less than significant exterior noise.

Interior Noise

Based on the noise projections outlined above, it is estimated that the proposed residences could have noise levels in excess of 60 dBA CNEL. These levels exceed the state and City's land use compatibility standard for acceptable indoor noise and will require that the design of the residential structures incorporate noise reduction methods such as insulation, sound rated windows, and mechanical ventilation.

With the inclusion of sound rated windows and mechanical ventilation systems, implementation of the proposed project will not expose future residents to unacceptable interior noise levels.

[7] Conditionally Acceptable: New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design.

Impacts From the Proposed Project

Operational Impacts

Implementation of the proposed project would increase the amount of traffic traveling to and from the project site on a daily basis compared to the current conditions. Automobile traffic is a major noise source in this and other urban areas.

A substantial noise increase would occur if the project results in an increase of 3 dBA or greater at nearby sensitive land uses. Traffic volumes must double for noise levels to increase by 3 dBA. Based on the project traffic report, the proposed project would generate approximately 1,060 daily trips, which is not enough to double traffic volumes on Los Coches Street. Once construction of the proposed project is complete, the project will not generate noise levels that will adversely impact the nearby residential neighborhood. In addition, the placement of the proposed towers will help to shield the existing residential neighborhood from noise generated by traffic on SR 237 and I-680.

Construction Impacts

Construction activity would require the use of heavy equipment during demolition and grading that would temporarily increase noise levels within the project area. In addition, the proposed project could require up to 30 days of pile driving. Typical noise levels generated by construction equipment range from 75 to 80 decibels at a distance of 100 feet from the construction site, and pile driving can generate noise levels of 100 decibels at 50 feet. Based on these typical noise levels for construction activities, the existing residential neighborhood would be exposed to noise levels of 80 to 90 decibels during pile driving at the second floor level of houses nearest the north sound wall.

- **Noise generating activities associated with demolition and grading and construction activities on the project site would temporarily elevate noise level in the area surrounding the project site. (Significant Temporary Impact)**

3. Mitigation and Avoidance Measures for Noise Impacts

The following mitigation measures have been included in the project to reduce potential construction-related noise impacts:

- Pursuant to the City of Milpitas Municipal Code, no person shall engage or permit others to engage in construction of any building or related road or walkway, pool or landscape improvement or in the construction operations related thereto, including delivery of construction materials, supplies, or improvements on or to a construction site except within the hours of 7:00 AM to 7:00 PM on weekdays and weekends.

- The contractor would be required to use available noise suppression devices and properly maintain and muffle internal combustion engine-driven construction equipment.

- The contractor would be required to use noise barriers or noise control blankets to shield stationary equipment from nearby noise-sensitive receptors.

- The contractor would designate a disturbance coordinator and post the name and phone number of this person at easy reference points for the surrounding land uses. The disturbance coordinator would respond to all complaints about noise and take the necessary steps to reduce the problem.

Conclusion: **Implementation of the proposed mitigation measures would reduce impacts from temporary construction noise to a less than significant level. (Less Than Significant with Mitigation)**

IV. CUMULATIVE IMPACTS

Cumulative impacts, as defined by CEQA, refer to two or more individual effects which, when combined, are considerable or which compound or increase other environmental impacts. Cumulative impacts may result from individually minor, but collectively significant projects taking place over a period of time. The CEQA Guidelines (§15130) state that an EIR should discuss cumulative impacts "when the project's incremental effect is cumulatively considerable." The discussion does not need to be in as great detail as is necessary for project impacts, but is to be "guided by the standards of practicality and reasonableness." The purpose of the cumulative analysis is to allow decision makers to better understand the potential impacts which might result from approval of past, present and reasonably foreseeable future projects, in conjunction with the proposed project.

In order to meet the intent of the cumulative analysis requirement, the following discussion reflects the information available from the City of Milpitas as of the date of circulation of this EIR. The reasonably foreseeable projects within the project area are listed in Table 8.

TABLE 8
Reasonably Foreseeable Projects

Project	Type of Project	Size of Project
K&B	Residential	683 condominiums and single-family dwelling units.
Fairfield	Residential	480 apartments
Shappell	Residential	65 condominiums
Town Center	Commercial	Renovation of existing facilities

Cumulative Traffic

Under cumulative conditions, the proposed project will have a significant impact on a roadway segment if:

- The roadway segment is projected to operate below its LOS standard under the existing general plan and the proposed general plan change is projected to cause an increase in traffic of at least one percent of its capacity; or
- The roadway segment is projected to operate at or better than its LOS standard under the existing general plan and the proposed general plan change is projected to degrade the level of service to less than acceptable levels.

For Congestion Management Program (CMP) roadway segments, the minimum acceptable level of service is LOS E. At roadway segments in Milpitas that are not CMP roadway segments, the minimum acceptable level of service is LOS D. Calaveras Boulevard is the only CMP roadway in the cumulative analysis.

For the purposes of this analysis, it was assumed that the current use of the site is a 134-room hotel, which is the most intensive use allowed under the existing general plan designation.

A comparison of the trip generation between the proposed residential project and the 134-room hotel is shown on Table 9. The proposed project would increase the daily trips to/from the site by 50 trips in the AM peak hour and 71 trips in the PM peak hour.

TABLE 9 Trip Generation Rates						
Use	**AM Peak Hour Trips**			**PM Peak Hour Trips**		
	In	**Out**	**Total**	**In**	**Out**	**Total**
Proposed Project	25	100	125	109	47	156
Existing General Plan	30	45	75	51	34	85
Net Project	**-5**	**55**	**50**	**58**	**13**	**71**

Under the cumulative condition with the existing General Plan land use, Calaveras Boulevard, Milpitas Boulevard, and Abel Street would all operate at an unacceptable LOS under the year 2030 conditions.

Under the cumulative condition, the proposed project would not result in any study segments operating below LOS D, except for Calaveras Boulevard, Milpitas Boulevard, and Abel Street, which already operate below the acceptable LOS. In addition, the proposed project would not add traffic that is greater than one percent of the roadway capacity. As a result, the proposed project would have a less than significant impact.

Cumulative Noise

The proposed project, by itself, will not generate enough traffic to audibly increase the overall noise level of the project area. For humans, an audible increase in noise is three decibels, which is equivalent to traffic volumes doubling in the project area. The proposed project combined with other nearby projects (K&B, Fairfield, Shappell, and Town Center), however, will not double traffic volumes in the project area (particularly Highway 680 and Calaveras Boulevard) and, therefore, will not increase the overall ambient noise level of the project area by three decibels or more. As a result, the proposed project will have a less than significant cumulative noise impact.

V. ALTERNATIVES TO THE PROPOSED PROJECT

Section 15126.6 of the CEQA Guidelines requires that an EIR describe a reasonable range of alternatives to the proposed project that could feasibly attain most of the project objectives and would avoid or considerably reduce any of the significant impacts of the proposed project. In addition, the No Project Alternative must be analyzed in the document.

In order to comply with the purposes of CEQA, it is important to identify alternatives that reduce the significant impacts which are anticipated to occur if the project is implemented, but to try to meet as many of the project's objectives as possible. The Guidelines emphasize a common sense approach–the alternatives should be reasonable, should "foster informed decision making and public participation," and should focus on alternatives that avoid or substantially lessen the significant impacts. An EIR is required to include a No Project Alternative that "compares the impacts of approving the proposed project with the impacts of not approving the proposed project."

The significant impacts identified in this EIR that result from the proposed project are hazardous materials (asbestos and lead paint), and noise (construction). These impacts, however, will be less than significant with implementation of the proposed mitigation measures. As a result, implementation of the proposed project will not have any significant impacts. Nevertheless, in an attempt to avoid and/or further reduce the less than significant hazardous materials and construction noise impacts of the proposed project, a reduced density alternative and an alternate site design alternative are discussed below.

A. NO PROJECT ALTERNATIVE

The CEQA Guidelines [§15126(d)4] require that an EIR specifically discuss a No Project Alternative, which should address both "the existing conditions, as well as what would be reasonably expected to occur in the foreseeable future if the project is not approved, based on current plans and consistent with available infrastructure and community services." Since the proposed project is the demolition of an existing commercial structure and the construction of a high-rise residential building, the alternative to the City approving the currently proposed project would be to retain the commercial structure on site in its current location.

The No Project Alternative would be to retain the current land use designation on the project site and either maintain the existing development or redevelop the site under the existing land use designation. The only significant impacts identified in this EIR are the significant temporary impact of construction noise and the impact of airborne asbestos from the existing buildings. The No Project Alternative would avoid these impacts if the existing buildings on the site were retained. If the site were redeveloped under the existing land use designation, however, the new development would have similar significant temporary construction noise impact and asbestos impact as the proposed project. It is anticipated that the proposed project will require pile driving, which would last for approximately 30 days. Because the No Project Alternative would not require pile driving, the significant temporary construction noise impact would be somewhat less intrusive on the adjacent land uses.

As a result, the No Project Alternative may not avoid the significant impacts of the proposed project because nothing would preclude the project site from being redeveloped under the

existing land use designation. The No Project Alternative does not meet the objectives of the proposed project.

B. REDUCED DENSITY ALTERNATIVE

Implementation of the proposed project would result in two residential towers (one 12 stories tall and one 10 stories tall) being built on a major roadway (Calaveras Boulevard) and near a single-family neighborhood. While the development of these residential towers will have a less than significant visual impact on the existing neighborhood, the project will alter the visual character of the project area. To further reduce the view of the proposed residential towers, this alternative could reduce the overall size and density of the project, thereby reducing the height of the buildings.

A 50 percent reduction in dwelling units (resulting in 90 units) would reduce the height of the buildings by approximately five to six stories. The buildings would still be visible from the existing residential neighborhood, however, and would still be taller than adjacent buildings. In addition, implementation of the Reduced Density Alternative would have the same significant temporary construction noise impact and asbestos impact as the proposed project. This alternative would further reduce the less than significant traffic impacts.

As a result, the Reduced Density Alternative will not further reduce the significant mitigated impacts of the proposed project and will not reduce the less than significant visual impact of the project to a "no impact" level. The Reduced Density Alternative does meet the objective of the proposed project by providing high-density residential development on the project site.

C. ALTERNATE SITE DESIGN

Implementation of the proposed project would result in a private outdoor common use area that could be exposed to noise levels of 65-66 decibels. The City of Milpitas has established a threshold of 65 decibels as being normally acceptable and 70 decibels as being conditionally acceptable. Approximately 20 percent of the common use area would be exposed to noise levels of 66 decibels. Because this is only one decibel above the acceptable threshold, is in a limited area, and because humans can only perceive a difference in noise that is three decibels or greater, this is identified as a less than significant impact. To further reduce the noise levels within the common use area, this alternative would increase the height of the proposed sound wall by two feet, thereby reducing the noise levels in the common use area.

Implementation of the Reduced Density Alternative would have the same significant temporary construction noise impact and asbestos impact as the proposed project.

The Alternate Site Design Alternative will not further reduce the significant mitigated impacts of the proposed project and will not reduce the less than significant noise impact of the project to a "no impact" level. The Alternate Site Design Alternative does meet the objective of the proposed project by providing high-density residential development on the project site.

VI. SIGNIFICANT UNAVOIDABLE IMPACTS OF THE PROJECT

A significant unavoidable impact is an impact that cannot be mitigated to a less than significant level if the project is implemented, because no feasible mitigation has been identified. The proposed project would result in the following **significant unavoidable impact**:

- Significant project impact associated with a four second increase in critical delay and a one percent increase in the demand to capacity ratio of one signalized intersection.

All other significant impacts of the proposed project would be reduced to a less than significant level with the implementation of mitigation measures identified in this EIR.

VII. IRREVERSIBLE ENVIRONMENTAL CHANGES AND IRRETRIEVABLE COMMITMENT OF RESOURCES

CEQA and the CEQA Guidelines require that an EIR address "significant irreversible environmental changes which would be involved in the proposed project, should it be implemented." [§158126(c)]

If the proposed project is implemented, development of this site would involve the use of non-renewable resources both during the construction phase and future operations/use of the site. Construction would include the use of building materials, including materials such as petroleum-based products and metals that cannot reasonably be re-created. Construction also involves significant consumption of energy, usually petroleum-based fuels that deplete supplies of non-renewable resources. Once the new developments are complete, occupants will use non-renewable fuels to heat and light the buildings. The proposed project will also consume water at a higher rate than the current land use.

The City of Milpitas encourages the use of building materials that include recycled materials, and makes information available on those building materials to developers. New buildings will be built to current codes, which require insulation and design to minimize wasteful energy consumption. Development of high density residential units typically use less energy for heat and light because common walls and shared services reduce waste. In addition, the site is an infill location and is currently served by public transportation. The site provides residential opportunities that are more reasonably proximate to existing employment centers in Milpitas than alternative housing in the south county and other counties to the north. The proposed project will, therefore, facilitate a more efficient use of resources over the long term.

VIII. GROWTH INDUCING IMPACTS OF THE PROJECT

For the purposes of this project, a growth inducing impact is considered significant if the project would:

- cumulatively exceed official regional or local population projections;
- directly induce substantial growth or concentration of population. The determination of significance shall consider the following factors: the degree to which the project would cause growth (i.e., new housing or employment generators) or accelerate development in an undeveloped area that exceeds planned levels in local land use plans;
- indirectly induce substantial growth or concentration of population (i.e., introduction of an unplanned infrastructure project or expansion of a critical public facility (road or sewer line) necessitated by new development, either of which could result in the potential for new development not accounted for in local general plans).

The project is proposed on an infill site within the City of Milpitas. The site is surrounded by existing infrastructure and both existing and planned development. While development of the project may require minor upgrading of the existing infrastructure; it will not include any significant expansion that would facilitate growth in other areas of the City.

Redevelopment of the project site would expand the existing neighborhood on the south side of Los Coches Street and could ultimately result in the future redevelopment of the Cal Skate facility adjacent to the site. Redevelopment of the Cal Skate site, however, does not by itself constitute significant growth within the City of Milpitas.

The project would not have significant growth inducing impacts.

IX. AUTHORS AND CONSULTANTS

Authors

City of Milpitas Planning Department

Tambri Heyden – Acting Director of Planning and Neighborhood Services
Dennis Carrington – Senior Planner

Consultants

David J. Powers & Associates, Inc.
Environmental Consultants and Planners
San José, CA
Michelle Yesney, Principal
Shannon George, Project Manager
Stephanie Grotton, Graphic Artist

Charles M. Salter & Associates
Acoustical Consultants
Petaluma, CA

X. REFERENCES

Association of Bay Area Governments, Web Site: http://www.abag.ca.gov/.

Bay Area Air Quality Management District, Bay '00 Clean Air Plan and Triennial Assessment, Volume I, adopted December 20, 2000.

Bay Area Air Quality Management District, CEQA Guidelines, Assessing the Air Quality Impacts of Projects and Plans, December 1999.

Bay Area Air Quality Management District, Web Site: http://www.baaqmd.gov/.

City of Milpitas. Milpitas General Plan, 1994.

City of Milpitas. Web Site. http://www.ci.**milpitas**.ca.gov